

**(h) Additional authorities****(1) Appointment of personnel and contracts**

The Secretary may appoint such personnel and enter into such contracts, financial assistance agreements, and other agreements as the Secretary considers necessary or appropriate to carry out the Program, including support for research and development activities involving a center for manufacturing innovation.

**(2) Transfer of funds**

Of amounts available under the authority provided by subsection (e), the Secretary may transfer to other Federal agencies such sums as the Secretary considers necessary or appropriate to carry out the Program. No funds so transferred may be used to reimburse or otherwise pay for the costs of financial assistance incurred or commitments of financial assistance made prior to December 16, 2014.

**(3) Authority of other agencies**

In the event that the Secretary exercises the authority to transfer funds to another agency under paragraph (2), such agency may accept such funds to award and administer, under the same conditions and constraints applicable to the Secretary, all aspects of financial assistance awards under this section.

**(4) Use of resources**

In furtherance of the purposes of the Program, the Secretary may use, with the consent of a covered entity and with or without reimbursement, the land, services, equipment, personnel, and facilities of such covered entity.

**(5) Acceptance of resources**

In addition to amounts appropriated to carry out the Program, the Secretary may accept funds, services, equipment, personnel, and facilities from any covered entity to carry out the Program, subject to the same conditions and constraints otherwise applicable to the Secretary under this section and such funds may only be obligated to the extent provided for in advance by appropriations Acts.

**(6) Covered entity**

For purposes of this subsection, a covered entity is any Federal department, Federal agency, instrumentality of the United States, State, local government, tribal government, territory, or possession of the United States, or of any political subdivision thereof, or international organization, or any public or private entity or individual.

**(i) Patents**

Chapter 18 of title 35 shall apply to any funding agreement (as defined in section 201 of that title) awarded to new or existing centers for manufacturing innovation.

(Mar. 3, 1901, ch. 872, §34, as added Pub. L. 113-235, div. B, title VII, §703(2), Dec. 16, 2014, 128 Stat. 2221.)

## REFERENCES IN TEXT

The Revitalize American Manufacturing and Innovation Act of 2014, referred to in subsec. (e)(1), is title VII of div. B. of Pub. L. 113-235, Dec. 16, 2014, 128 Stat. 2220.

For complete classification of this Act to the Code, see Short Title note under section 271 of this title and Tables.

## PRIOR PROVISIONS

A prior section 34 of act Mar. 3, 1901, ch. 872, was renumbered section 35 and is set out as a Short Title note under section 271 of this title.

## FINDINGS

Pub. L. 113-235, div. B, title VII, §702, Dec. 16, 2014, 128 Stat. 2220, provided that: “Congress finds the following:

“(1) In 2012, manufacturers contributed \$2.03 trillion to the economy, or ¼ of United States Gross Domestic Product.

“(2) For every \$1.00 spent in manufacturing, another \$1.32 is added to the economy, the highest multiplier effect of any economic sector.

“(3) Manufacturing supports an estimated 17,400,000 jobs in the United States—about 1 in 6 private-sector jobs. More than 12,000,000 Americans (or 9 percent of the workforce) are employed directly in manufacturing.

“(4) In 2012, the average manufacturing worker in the United States earned \$77,505 annually, including pay and benefits. The average worker in all industries earned \$62,063.

“(5) Taken alone, manufacturing in the United States would be the 8th largest economy in the world.

“(6) Manufacturers in the United States perform two-thirds of all private-sector research and development in the United States, driving more innovation than any other sector.”

**§ 279. Absence of Director**

In the case of the absence of the Director of the National Institute of Standards and Technology the Secretary of Commerce may designate some officer of said Institute to perform the duties of the director during his absence.

(Mar. 4, 1911, ch. 237, §1, 36 Stat. 1231; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736; Pub. L. 100-418, title V, §5115(c), Aug. 23, 1988, 102 Stat. 1433.)

## CODIFICATION

Section was not enacted as part of the National Institute of Standards and Technology Act which comprises this chapter.

## AMENDMENTS

1988—Pub. L. 100-418 substituted “National Institute of Standards and Technology” for “Bureau of Standards” and “Institute” for “bureau”.

## CHANGE OF NAME

Act Mar. 4, 1913, substituted “Secretary of Commerce” for “Secretary of Commerce and Labor”.

**§§ 280, 281. Repealed. Pub. L. 100-418, title V, § 5113, Aug. 23, 1988, 102 Stat. 1432**

Section 280, acts July 16, 1914, ch. 141, §1, 38 Stat. 502; 1978 Reorg. Plan No. 2, §102, 43 F.R. 36037, 92 Stat. 3783, related to promotion of apprentices in National Bureau of Standards.

Section 281, acts Mar. 4, 1913, ch. 150, §1, 37 Stat. 945; 1967 Reorg. Plan No. 3, §401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 948; Dec. 24, 1973, Pub. L. 93-198, title IV, §421, title VII, §711, 87 Stat. 789, 818, related to testing of building and other structural materials for District of Columbia.

**§ 281a. Structural failures**

The National Institute of Standards and Technology, on its own initiative but only after consultation with local authorities, may initiate

and conduct investigations to determine the causes of structural failures in structures which are used or occupied by the general public. No part of any report resulting from such investigation, or from an investigation under the National Construction Safety Team Act [15 U.S.C. 7301 et seq.], shall be admitted as evidence or used in any suit or action for damages arising out of any matter mentioned in such report.

(Pub. L. 99-73, § 7, July 29, 1985, 99 Stat. 173; Pub. L. 100-418, title V, § 5115(c), Aug. 23, 1988, 102 Stat. 1433; Pub. L. 107-231, § 13, Oct. 1, 2002, 116 Stat. 1476.)

#### REFERENCES IN TEXT

The National Construction Safety Team Act, referred to in text, is Pub. L. 107-231, Oct. 1, 2002, 116 Stat. 1471, as amended, which is classified generally to chapter 99 [§ 7301 et seq.] of this title. For complete classification of this Act to the Code, see Short Title note set out under section 7301 of this title and Tables.

#### CODIFICATION

Section was not enacted as part of the National Institute of Standards and Technology Act which comprises this chapter.

#### AMENDMENTS

2002—Pub. L. 107-231 inserted “, or from an investigation under the National Construction Safety Team Act,” after “from such investigation”.

1988—Pub. L. 100-418 substituted “National Institute of Standards and Technology” for “National Bureau of Standards”.

#### § 282. Repealed. Pub. L. 100-418, title V, § 5113, Aug. 23, 1988, 102 Stat. 1432

Section, act May 14, 1930, ch. 275, § 1, 46 Stat. 327, related to establishment and purpose of a national hydraulic laboratory and studies of Federal and State projects related thereto.

#### § 282a. Assessment of emerging technologies requiring research in metrology

The Board of Assessment of the National Institute of Standards and Technology shall include, as part of its annual review, an assessment of emerging technologies which are expected to require research in metrology to keep the Institute abreast of its mission, including process and quality control, engineering databases, advanced materials, electronics and fiber optics, bioprocess engineering, and advanced computing concepts. Such review shall include estimates of the cost of the required effort, required staffing levels, appropriate interaction with industry, including technology transfer, and the period over which the research will be required.

(Pub. L. 100-418, title V, § 5163(a), Aug. 23, 1988, 102 Stat. 1450.)

#### CODIFICATION

Section is comprised of section 5163(a) of Pub. L. 100-418. Section 5163(b)-(d) of Pub. L. 100-418 enacted provisions set out as a note under section 272 of this title, amended section 3710 of this title, and enacted section 1533 of this title, respectively.

Section was not enacted as part of the National Institute of Standards and Technology Act which comprises this chapter.

#### PRIOR PROVISIONS

A prior section 282a, Pub. L. 99-574, § 7, Oct. 28, 1986, 100 Stat. 3237, consisted of provisions substantially identical to this section.

#### § 283. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 655, 656

Section, acts July 20, 1949, ch. 354, title III, § 301, 63 Stat. 468; Sept. 6, 1950, ch. 896, ch. III, title III, § 301, 64 Stat. 628, related to appointment of personnel observing radio propagation phenomena in Arctic Region.

#### § 284. Omitted

#### CODIFICATION

Section, acts Oct. 22, 1951, ch. 533, title III, § 301, 65 Stat. 593; Sept. 6, 1950, ch. 896, ch. III, title III, § 301, 64 Stat. 628; July 20, 1949, ch. 354, title III, § 301, 63 Stat. 468, which related to transfer of materials, etc., to Bureau of ionosphere observation by Departments of the Army, Navy, and Air Force, was from the Department of Commerce Appropriation Act, 1952, and has not been repeated in subsequent appropriation acts.

#### §§ 285, 286. Repealed. Pub. L. 85-890, § 3, Sept. 2, 1958, 72 Stat. 1712

Section 285, act July 21, 1950, ch. 485, § 1, 64 Stat. 370, related to functions and activities of National Bureau of Standards for which funds should be available. See section 278e of this title.

Section 286, act July 21, 1950, ch. 485, § 2, 64 Stat. 371, related to construction and improvement of buildings and facilities. See section 278d of this title.

#### CHAPTER 7A—STANDARD REFERENCE DATA PROGRAM

Sec.	Congressional declaration of policy.
290.	Definitions.
290a.	Collection, compilation, critical evaluation, publication and dissemination of standard reference data.
290b.	Standards, criteria, and procedures for preparation and publication of standard reference data; publication in Federal Register.
290c.	Sale of standard reference data; cost recovery; proceeds subject to National Institute of Standards and Technology.
290d.	United States copyright and renewal rights.
290e.	Authorization of appropriations.
290f.	

#### § 290. Congressional declaration of policy

The Congress hereby finds and declares that reliable standardized scientific and technical reference data are of vital importance to the progress of the Nation's science and technology. It is therefore the policy of the Congress to make critically evaluated reference data readily available to scientists, engineers, and the general public. It is the purpose of this chapter to strengthen and enhance this policy.

(Pub. L. 90-396, § 1, July 11, 1968, 82 Stat. 339.)

#### SHORT TITLE

Pub. L. 90-396, § 8, July 11, 1968, 82 Stat. 340, provided that: “This Act [enacting this chapter] may be cited as the ‘Standard Reference Data Act.’”

#### § 290a. Definitions

For the purposes of this chapter—

(a) The term “standard reference data” means quantitative information, related to a measurable physical or chemical property of a substance or system of substances of known composition and structure, which is critically evaluated as to its reliability under section 290b of this title.

(b) The term “Secretary” means the Secretary of Commerce.